

2001 DRAFTING REQUEST

Senate Amendment (SA-SB55)

Received: **05/30/2001**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Hotynski**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - parks and forestry**

Extra Copies:

Submit via email: **NO**

Requester's email:

Pre Topic:

LFB:.....Hotynski -

Topic:

Managed forest land eligibility

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rkite 06/01/2001	hhagen 06/01/2001	jfrantze 06/03/2001	_____	lrb_docadmin 06/03/2001		
/2	rkite 06/08/2001	hhagen 06/08/2001	jfrantze 06/08/2001	_____	lrb_docadmin 06/09/2001		
/3	gibsom 06/10/2001	wjackson 06/10/2001	kfollet 06/10/2001	_____	lrb_docadmin 06/10/2001		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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06/09/2001 09:20:28 AM

Page 1

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13 wly 6/10

kj
6/10kj/pg
6/10

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FE Sent For:

12 hnh
6/1/01

To 6/8

To 6/8
cmh
6/8
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FE Sent For:

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program in September of 2000, DNR indicated that requests for grants totaling approximately \$830,000 remained unfunded. The Department also asserts that this number may not represent the actual level of demand for the program. Many of the landowners who apply for grants under the Wisconsin Forest Land Owner grant program do so based on information obtained from DNR foresters. As demand has continued to exceed available funding, DNR indicates that fewer foresters actively promote the program in an attempt to avoid lengthening the waiting list for available funds. Eligible activities under the grant program include the development of a land stewardship plan, tree planting, timber stand improvement, soil and water protection, fencing, fisheries and wildlife enhancement practices, establishment of forest buffers, protection of endangered or threatened species, and historic or aesthetic enhancements. The Department indicates that current demand exceeds funding available under the program. The \$250,000 per year provided under the bill would fund approximately 150 additional grants annually.

ALTERNATIVES TO BASE

A1, B1 + motion

A. Managed Forest Law

1. Approve the Governor's recommendation to provide \$150,000 annually from the forestry account of the conservation fund to contract with private foresters for the development of managed forest land plans. In addition, provide \$346,100 in 2001-02 and \$365,600 in 2002-03 from the forestry account for 3.0 new forester positions and convert 5.0 forester project positions to permanent status to increase contacts between non-industrial private forest owners and DNR foresters or state-contracted private foresters to provide land management guidance. (This funding should allow DNR to prepare at least 4,125 MFL plans in 2002-03, an annual increase of over 12%.)

<u>Alternative A1</u>	<u>SEG</u>	<u>TOTAL</u>
2001-03 FUNDING (Change to Base)	\$1,011,700	\$1,011,700
[Change to Bill]	0	0]
2002-03 POSITIONS (Change to Base)	8.0	8.0
[Change to Bill]	0	0]

2. Maintain current law.

<u>Alternative A2</u>	<u>SEG</u>	<u>TOTAL</u>
2001-03 FUNDING (Change to Base)	\$0	\$0
[Change to Bill]	-\$1,011,700	-\$1,011,700]
2002-03 POSITIONS (Change to Base)	0	0
[Change to Bill]	-8.0	-8.0]

B. **Wisconsin Forest Landowner Grant Program**

1. *Further* Approve the Governor's recommendation to provide \$250,000 SEG annually from the forestry account to increase the allotment for the Wisconsin Forest Landowner grant program (to \$1,250,000 annually).

<u>Alternative B1</u>	<u>SEG</u>
2001-03 FUNDING (Change to Base)	\$500,000
[Change to Bill]	\$0]

2. Maintain current law.

<u>Alternative B2</u>	<u>SEG</u>
2001-03 FUNDING (Change to Base)	\$0
[Change to Bill]	- \$500,000]

MO#		
Burke	Y	N
Decker	Y	N
Moore	Y	N
Shibilski	Y	N
Plache	Y	N
Wirch	Y	N
Darling	Y	N
Welch	Y	N
Gard	Y	N
Kaufert	Y	N
Albers	Y	N
Duff	Y	N
Ward	Y	N
Huebsch	Y	N
Huber	Y	N
Coggs	Y	N

Prepared by: Rebecca Hotynski

Representative Ward
Senator Shibilski
Representative Albers
Senator Wirch

NATURAL RESOURCES -- FORESTRY AND PARKS

Managed Forest Law Eligibility

[LFB Paper #661]

Motion:

as determined by DNR
Move to adopt the Governor's recommendation (Alternatives A1 and B1) to provide \$150,000 annually from the forestry account of the conservation fund to contract with private foresters for the development of managed forestland plans. In addition, provide \$346,100 in 2001-02 and \$365,600 in 2002-03 from the forestry account for 3.0 new forester positions and convert 5.0 forester project positions to permanent status to increase contacts between non-industrial private forest owners and DNR foresters or state-contracted private foresters to provide land management guidance. Provide \$250,000 SEG annually from the forestry account to increase the allotment for the Wisconsin Forest Landowner grant program (to \$1,250,000 annually).

management options
Further, effective January 1, 2002, to expand eligibility for designation as managed forest land if at least 65% of the parcel is producing or is capable of producing a minimum of 20 cubic feet of merchantable timber per acre per year. Further, designate as ineligible a parcel (a) of which more than 35% consists of land that is not suitable for producing 20 cubic feet of merchantable timber per acre per year, including water, marsh, muskeg, bog, rock outcrops, or sand dunes; or (b) more than 20% is farmland, roadway, railroad, utility right-of-way, or in reserve due to special resource concern such as sensitive soil, endangered or threatened resources, archeological sites, or the lack of sound forest regeneration recommendations. *77.82 (1)(a) 1. (1)(b) 1.*

Also, provide \$570,300 in 2001-02 and \$728,400 in 2002-03 and 15.0 SEG positions from the forestry account for to increase the number of field foresters.

don't draft per Rebecca
~~Require property to be classified as "swamp and waste" for purposes of the property tax if the property is undeveloped, if the property is nonproductive forest land and if the property is part of a parcel, where the other part of the parcel is enrolled in the managed forest law program. Exclude property that is classified as agricultural property from this provision. Provide that this provision applies to property assessed as of January 1, 2002.~~

Note:

Under current law, at least 80% of the parcel must be producing or be capable of producing a minimum of 20 cubic feet of merchantable timber per acre per year in order to be designated as eligible for the managed forest law program. A parcel which consists of more than 20% land that is not suitable for producing 20 cubic feet of merchantable timber per acre per year, including water, marsh, muskeg, bog, rock outcrops, or sand dunes is designated as ineligible.

[Change to Base: \$2,810,400 SEG and 23.0 SEG positions]

[Change to Bill: \$1,298,700 SEG and 15.0 SEG positions]

MO# 160
Burke N
Decker N
Moore N
Shibilski N
Piache N
Wirch N
Darling N
Welch N
Gard N
Kaufert N
Albers N
Duff N
Ward N
Huebsch N
Huber N
Coggs N

Pass



[soon]
State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb0475/1

RNK: hnh

D-Note

LFB:.....Hotynski – Managed forest land eligibility

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

1 At the locations indicated, amend the bill as follows:

2 1. Page 999, line 22: after that line insert:

3 "SECTION 2247d. 77.82 (1) (a) 2. of the statutes is amended to read:

4 77.82 (1) (a) 2. At least ~~80%~~ 65% of the parcel must be producing or capable of
5 producing a minimum of 20 cubic feet of merchantable timber per acre per year.

History: 1985 a. 29; 1989 a. 31; 1993 a. 16, 131, 301, 491; 1995 a. 27; 1997 a. 27, 35, 237.

6 SECTION 2247h. 77.82 (1) (b) 1. of the statutes is amended to read:

7 77.82 (1) (b) 1. A parcel of which more than ~~20%~~ 35% consists of land that is
8 unsuitable for producing merchantable timber, including water, marsh, muskeg,
9 bog, rock outcrops, or sand dunes, ~~farmland, roadway or railroad and utility~~
10 ~~rights-of-way.~~

History: 1985 a. 29; 1989 a. 31; 1993 a. 16, 131, 301, 491; 1995 a. 27; 1997 a. 27, 35, 237.

11 SECTION 2247p. 77.82 (1) (b) 1g. of the statutes is created to read:

1 77.82 (1) (b) 1g. A parcel of which more than 20% consists of land that is
2 farmland, roadway, or a railroad or utility right-of-way, or of which more than 20%
3 consists of land that is not capable of producing merchantable timber because the
4 production would affect the land's natural resources including land that contains
5 sensitive soil, as determined by the department, endangered species as defined in s.
6 29.604 (2) (a), threatened species, as defined in s. 29.604 (2) (b), or an archeological
7 site, or ^{land that} lacks sound forestry regeneration options, as determined by the department.

8 **SECTION 2247t.** 77.82 (7) (a) 3. of the statutes is amended to read:

9 77.82 (7) (a) 3. That a stand of merchantable timber will be developed on at
10 least ~~80%~~ 65% of the land within a reasonable period of time."

History: 1985 a. 29; 1989 a. 31; 1993 a. 16, 131, 301, 491; 1995 a. 27; 1997 a. 27, 35, 237.

11 **2.** Page 1801, line 21: after that line insert:

12 ^f
13 ~~"(3rd)~~ ^fMANAGED FOREST LAND ELIGIBILITY. The treatment of section 77.82 (1) (a)
14 of land as managed forest land and to petitions for conversion of land to managed
15 forest land, that are filed on January 1, 2002."

16 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0475/1dn
RNK.....

Rebecca Hotynski:

Please review this draft very closely to ensure that it is consistent with the intent of the instructions for the draft as contained in the motion. I am not certain whether there is a possibility that, under this draft, lands that were eligible for designation as managed forest land before January 1, 2002 would become ineligible on January 1, 2002. For this reason, I included an initial applicability provision in the draft rather than a delayed effective date provision. If you have any questions concerning the draft, please give me a call.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0475/1dn
RNK:hmh:jf

June 1, 2001

Rebecca Hotynski:

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(Aron)

State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb04754 2
RNK:hmh:jf
stays

LFB:.....Hotynski – Managed forest land eligibility

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10 77.82 (7) (a) 3. That a stand of merchantable timber will be developed on at
11 least ~~80%~~ 65% of the land within a reasonable period of time.”.

12 **2.** Page 1801, line 21: after that line insert:

13 “(3f) **MANAGED FOREST LAND ELIGIBILITY.** The treatment of section 77.82 (1) (a)
14 2., (b) 1. ~~and~~ ^{and 1r.} 1g. ^{and} and (7) (a) 3. of the statutes first applies to petitions for designation
15 of land as managed forest land and to petitions for conversion of land to managed
16 forest land that are filed on January 1, 2002.”.

17 (END)

SECTION 2247r. CR; 77.82 (1)(b) 1r.
77.82 (1)(b) 1r. A parcel

2001 - 2002 LEGISLATURE

LRBb0475/2 3

RNK:hml:jf

RMR
WJ

DOON

LFB:.....Hotynski – Managed forest land eligibility

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18 (END)

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